



General Assembly

February Session, 2012

Raised Bill No. 5508

LCO No. 2183

02183_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING MISREPRESENTATION OF TOWN OF
RESIDENCY WITH RESPECT TO SCHOOL ACCOMMODATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2012*) A parent or guardian of a
2 child or an emancipated minor or pupil eighteen years of age or older
3 who knowingly makes a false written statement concerning the
4 residency of such child, emancipated minor or pupil with the intent to
5 obtain school accommodations from a school district when such child,
6 emancipated minor or pupil is not a resident of the school district and
7 is not entitled to school accommodations from such school district on
8 the basis of residency shall be guilty of a class A misdemeanor. The
9 provisions of this section shall not apply to any person who was a
10 homeless person, as defined in subdivision (3) of section 8-355, at the
11 time the written statement was made.

12 Sec. 2. Subsection (a) of section 53a-118 of the general statutes is
13 repealed and the following is substituted in lieu thereof (*Effective July*
14 *1, 2012*):

15 (a) The following definitions are applicable to this part: (1)

16 "Property" means any money, personal property, real property, thing
17 in action, evidence of debt or contract, or article of value of any kind.
18 Commodities of a public utility nature such as gas, electricity, steam
19 and water constitute property, but the supplying of such a commodity
20 to premises from an outside source by means of wires, pipes, conduits
21 or other equipment shall be deemed a rendition of a service rather than
22 a sale or delivery of property. (2) "Obtain" includes, but is not limited
23 to, the bringing about of a transfer or purported transfer of property or
24 of a legal interest therein, whether to the obtainer or another. (3) To
25 "deprive" another of property means (A) to withhold it or cause it to be
26 withheld from him permanently or for so extended a period or under
27 such circumstances that the major portion of its economic value or
28 benefit is lost to him, or (B) to dispose of the property in such manner
29 or under such circumstances as to render it unlikely that an owner will
30 recover such property. (4) To "appropriate" property of another to
31 oneself or a third person means (A) to exercise control over it, or to aid
32 a third person to exercise control over it, permanently or for so
33 extended a period or under such circumstances as to acquire the major
34 portion of its economic value or benefit, or (B) to dispose of the
35 property for the benefit of oneself or a third person. (5) An "owner"
36 means any person who has a right to possession superior to that of a
37 taker, obtainer or withholder. (6) To "receive" means to acquire
38 possession, control or title, or to lend on the security of the property.
39 (7) "Service" includes, but is not limited to, labor, professional service,
40 public utility and transportation service, the supplying of hotel
41 accommodations, restaurant services, entertainment, and the
42 supplying of equipment for use, but does not include school
43 accommodations provided by a school district to a child, emancipated
44 minor or pupil eighteen years of age or older. (8) "Check" means any
45 check, draft or similar sight order for the payment of money which is
46 not postdated with respect to the time of issuance. (9) "Drawer" of a
47 check means a person whose name appears thereon as the primary
48 obligor, whether the actual signature be that of himself or of a person
49 purportedly authorized to draw the check in his behalf. (10)

50 "Representative drawer" means a person who signs a check as drawer
 51 in a representative capacity or as agent of the person whose name
 52 appears thereon as the principal drawer or obligor. (11) A person
 53 "issues" a check when, as a drawer or representative drawer thereof, he
 54 delivers it or causes it to be delivered to a person who thereby acquires
 55 a right against the drawer with respect to such check. One who draws
 56 a check with intent that it be so delivered is deemed to have issued it if
 57 the delivery occurs. (12) A person "passes" a check when, being a
 58 payee, holder or bearer of a check which previously has been or
 59 purports to have been drawn and issued by another, he delivers it, for
 60 a purpose other than collection, to a third person who thereby acquires
 61 a right with respect thereto. (13) "Funds" means money or credit. (14) A
 62 drawer has "insufficient funds" with a drawee to cover a check when
 63 he has no funds or account whatever, or funds in an amount less than
 64 that of the check; and a check dishonored for "no account" shall also be
 65 deemed to have been dishonored for "insufficient funds". (15) "Credit"
 66 means an arrangement or understanding with a bank or depository for
 67 the payment of a check, draft or order in full on presentation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	New section
Sec. 2	<i>July 1, 2012</i>	53a-118(a)

Statement of Purpose:

To make misrepresentation of residency with the intent to fraudulently obtain school accommodations from a school district a misdemeanor offense.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]